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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection that were raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 83-86, 96-98, 100-103, 105 and 106 are pending in the application.

Claims 83-86, 96-98, 100-103, 105 and 106 have been rejected.

Claims 1-119 have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

New claims 120-129 have been added in order to further define what the Applicants consider to be the invention, and to bring the claims of the present application into line with the claims of parallel European patent application 04745017.6 as allowed by the European Patent Office. Applicants respectfully assert that no new matter has been added.

CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 83-86 under 35 U.S.C. § 102(b), as being anticipated by Blacklock et al. (US 5,695,334). Applicants respectfully traverse this rejection in view of the remarks that follow.

Claims 83-86 have been cancelled without prejudice or disclaimer. Arguments are brought below in defense of new claims 120-129.

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Blacklock discloses an apparatus and method for producing a permanent metal post and core adjusted angularly in order to result in a prosthesis aligned in parallel relation to surrounding teeth and prostheses. The apparatus includes a bendable post and core assembly placed in a conventional anchor. The post is bent to a precise desired angle with respect to the core, and cemented in this position. A ceramic mold is formed around the cemented post and core. The post and core, which is preferably fabricated from a synthetic organic polymer which melts at a temperature below 1,400° F, is then heated and evacuated from the mold. A permanent post and core is then cast in the mold from a suitable material, such as gold. Optionally, a sleeve which is configured to slip over and closely conform to the post is employed, either to increase the diameter of the core prior to forming the mold, or to assist in fabricating the denture after the permanent post and core is completed.

Blacklock does not teach or suggest a kit for preparing an abutment for interfacing a dental prosthesis to a dental implant or a duplicate thereof that includes "a globule of resilient bonding material contained within a pliable membrane that permits the resilient bonding material to be matched to an internal contour of the intra-crown element and to an external contour of the intra-implant element" as claimed in new independent claim 120. Furthermore, Blacklock does not teach or suggest means for forming an abutment for interfacing a dental prosthesis to a dental implant or to a dental implant analog that include a "resilient connection comprising a globule of resilient bonding material within a pliable membrane that permits the resilient bonding material to be matched to an internal contour of the intra-crown element and to an external contour of the intra-implant element, said resilient bonding material forming a deformable connection, wherein the intra-crown element and the intra-implant element are discrete elements" as claimed in new independent claim 127.

For a reference to anticipate a claim it must teach all the elements of that claim. Therefore, Blacklock cannot anticipate new independent claims 120 and 127. Thus, Applicants respectfully assert that new claims 120 and 127 are allowable.

New claims 121-126 and 128-129 depend, directly or indirectly, from new independent claims 120 and 127 and are, therefore allowable too.

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35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 96-98, 100-103 and 106 under 35 U.S.C. § 103(a), as being unpatentable over Blackcock et al. in view of Phimmasone (US 5,658,147).

Claims 96-98, 100-103 and 106 have been cancelled without prejudice or disclaimer. Arguments are brought below in defense of new claims 120-129.

Blacklock et al. was discussed above. The above discussion of Blacklock et al. is applicable here, too.

Phimmasone discloses a method of producing a working model for preparation of a clinical crown for attachment to an implant fixture in the mouth of a patient, in a laboratory analog, on which the crown is mounted during preparation, is formed as an assembly including a fixed sleeve and a detachable pin and wherein the crown-receiving portion of the pin element of the assembly replicates the crown-receiving portion of the implant fixture. The analog sleeve is fixedly mounted in a base segment of the model so that the analog pin bearing a crown to be prepared threadedly connected thereto can be removed from and returned to mounted installation in the model by simple sliding movement between the pin and sleeve. Also described is the resultant working model construction and the particular analog elements that also form parts of the invention.

Applicants assert that neither Blacklock nor Phimmasone, alone or in combination, teach or suggest, a kit for preparing an abutment for interfacing a dental prosthesis to a dental implant or a duplicate thereof that includes "a globule of resilient bonding material contained within a pliable membrane that permits the resilient bonding material to be matched to an internal contour of the intra-crown element and to an external contour of the intra-implant element" as claimed in new independent claim 120. Furthermore, neither Blacklock nor Phimmasone, alone or in combination, teach or suggest, means for forming an abutment for interfacing a dental prosthesis to a dental implant or to a dental implant analog that include a "resilient connection comprising a globule of resilient bonding material within a pliable membrane that permits the resilient bonding material to be matched to an internal contour of the intra-crown element and to an external contour of the intra-implant element, said resilient

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bonding material forming a deformable connection, wherein the intra-crown element and the intra-implant element are discrete elements" as claimed in new independent claim 127.

Accordingly, Applicants respectfully assert that new independent claims 120 and 127 are allowable. Claims 121-126 and 128-129 depend from, directly or indirectly, claims 120, and 127, and therefore include all the limitations of those claims. Therefore, Applicants respectfully assert that claims 121-126 and 128-129 are likewise allowable.

In the Office action, the Examiner rejected claims 96-98, 100-103 and 105 under 35 U.S.C. § 103(a), as being unpatentable over Blacklock in view of Feng (US 2005/0048440). Applicants respectfully traverse this rejection at least for the reasons that follow:

Claims 96-98, 100-103 and 105 have been cancelled without prejudice or disclaimer. Arguments are brought below in defense of new claims 120-129.

Blacklock et al. was discussed above. The above discussion of Blacklock et al. is applicable here, too.

Feng discloses a dental implant for use in replacing a nonfunctional tooth includes an abutment and a base. The base of the implant has a topography this is substantially identical to the topography of the root of the nonfunctional tooth. Accordingly, the use of the implants eliminates the need for conventionally used bone drills and other traumatic preparing procedures for implant. The implant may be fabricated from a single piece of material so that the abutment and the base are unitary. In addition, the surface of the base may be treated to enhance post-implant bone growth to the base.

Applicants assert that neither Blacklock nor Feng, alone or in combination, teach or suggest, a kit for preparing an abutment for interfacing a dental prosthesis to a dental implant or a duplicate thereof that includes "a globule of resilient bonding material contained within a pliable membrane that permits the resilient bonding material to be matched to an internal contour of the intra-crown element and to an external contour of the intra-implant element" as claimed in new independent claim 120. Furthermore, neither Blacklock nor Feng, alone or in combination, teach or suggest, means for forming an abutment for interfacing a dental prosthesis to a dental implant or to a dental implant analog that include a "resilient connection

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comprising a globule of resilient bonding material within a pliable membrane that permits the resilient bonding material to be matched to an internal contour of the intra-crown element and to an external contour of the intra-implant element, said resilient bonding material forming a deformable connection, wherein the intra-crown element and the intra-implant element are discrete elements" as claimed in new independent claim 127.

Accordingly, Applicants respectfully assert that new independent claims 120 and 127 are allowable. Claims 121-126 and 128-129 depend from, directly or indirectly, claims 120, and 127, and therefore include all the limitations of those claims. Therefore, Applicants respectfully assert that claims 121-126 and 128-129 are likewise allowable.

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Conclusion

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,

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